

Remarks

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein. In the present response, claims 1, 6, 7, 8, and 26 have been amended. Claims 1-26 remain pending.

35 USC §103

Claims 1-26 stand rejected as being obvious under §103(a) over Thompson (US Patent No. 6,484,011) in view of Brooks (US Patent No. 7,069,573). Applicants respectfully traverse the rejections for the following reason.

Regarding the rejection of independent claim 24, the Office relies on Brooks at col. 2 line 57 through col. 3 line 5 as teaching, among other things, the recited "transitory selectable item associated with the broadcast." The Office is respectfully requested to review this portion of Brooks as there is no such teaching of transitory items, nor of such a transitory item associated with a broadcast. Consequently, the suggested combination is unworkable and the rejection necessarily fails.

Regarding the rejection of claim 1, it is agreed that Thompson fails to teach recited limitations as indicated by the Office. But, it is not agreed these references combine as suggested to render recited embodiments obvious. However, this disagreement with the Office's reasoning is believed moot in light of the foregoing amendments and hence the rejections are not being substantively addressed.

Claim 1 has been amended to recite that the handheld device, viewing device, and formatting agent are "local", e.g., local to some environment, home, office, etc.,

while the recited broadcast is received "from a remote source," e.g., from outside the local environment. By distinguishing between local and remote, the recited embodiment now requires the conversion from an incompatible format to a format compatible with the handheld device occurs locally. If one looks at Brooks at col. 3 line 5, one sees that Brooks appears to only teach that converted data is transmitted from the web server. The Brooks web server is remote to the Brooks mobile client device.

Because Brooks as discussed above fails to teach or suggest the recited local conversion of data into a format compatible with a handheld device, the suggested combination of references cannot render the amended claim 1 embodiment obvious as suggested by the Office. Claim 11 is allowable as a direct medium variation of claim 1.

Claim 6 has been amended to remove redundant language over claim 1.

Claim 7 has been amended in accord with claim 1 to distinguish between local and remote operations and hence is allowable for at least the same reason discussed above for claim 1.

Claim 8 has been amended in accord with claim 1 to distinguish between local and remote operations and hence is allowable for at least the same reason discussed above for claim 1. Claim 8 has also been amended to remove a second potentially confusing "comprises:" and to present the wherein operations as comma clauses.

Claim 18 was dismissed in the Action as failing to introduce any new features over previously rejected claims. This conclusion is respectfully traversed since claim 18 recites a first location different from a second location and hence these different locations are new characteristics over the other claim embodiments. In claim 18, the handheld device and formatter are at the first location and the content initiator is at the

second location. As discussed above, the portions of Brooks relied on by the Office fails to teach or suggest a formatting server being at the same location at the handheld device receiving converted/reformatted data to make such data compatible with the handheld device. Consequently, as discussed above with respect to claim 1, the combination of Thompson and Brooks cannot operate as recited and hence the combination cannot render this embodiment obvious.

Claim 26 is subtly different from the other embodiments but it is believed its difference may have been overlooked by the Office since the Office did not reject this claim and instead indicated claim 26 introduced no new limitations. It is submitted the Office errs since this embodiment, rather than focusing on content being incompatible with a handheld device and requiring content conversion for its use, instead the recited embodiment concerns the content **catalog** being incompatible with the handheld device.

In the recited embodiment, when an indication of interest, e.g., pressing a button or taking other action, is received indicating an interest in receiving a content catalog. In the recited embodiment, the content catalog is in a first data format incompatible with the handheld device, hence a formatting agent is provided with the catalog and is used to convert the catalog into a second format compatible with the handheld device. This catalog conversion is different from the other embodiments and hence the rejections provided for the other claim embodiments are respectfully submitted to be inapplicable. However, it is further submitted that as best the documents relied on by the Office are understood, these documents do not teach or suggest the claim 26 embodiment.

Conclusion

Based on the foregoing, it is believed all rejections are overcome and the pending claims are in condition for allowance. However, if issues remain precluding issuance, the Examiner is asked to contact the undersigned at an earliest convenience so that any such issues may be addressed.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,

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